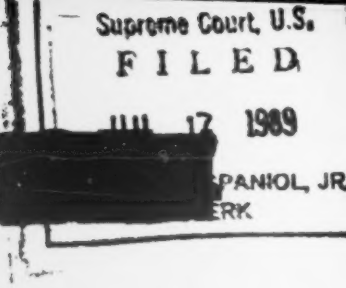
88-1974 Case Number



S. Ct. 88-[redacted]

IN THE

United States SUPREME Court

1989 TERM

PETITIONERS REPLY TO RESPONDANTS BRIEF

JOHN G. BARROW JR.
Plaintiff - Appellant - Petitioner
vs.
JIM BISHOP JR., An Individual
Defendant - Appellee - Respondant
Counsel paid by Public Funds
Thomas D. MacNamara, P.O. Drawer "CC"
Gainesville, Florida 32602

ON WRIT OF CERTIORARI FROM THE U.S. COURT OF APPEALS, ELEVENTH CIRCUIT ATLANTA, GEORGIA

John G. Barrow Jr.
A Layman without legal education
Rt. 1 Box 470
Callahan, Florida 32011
(904) 845-2475

In The Supreme Court of
The United States
Washington, D.C.

JOHN G BARROW JR

Petitioner

VS S. Ct. Case No. 88-1974

JIM BISHOP JR

Respondent

* * * * * * * * * * * * * * * * * * * *

PETITIONER'S REPLY BRIEF
TO RESPONDENTS BRIEF
PURSUANT TO U.S. S. Ct. Rule 22.5

1. Contained in this Brown Covered Booklet seems to be Argumant from page 1 through page 11.

2. It is very true that this Petitioner filed a Complaint.

It is also true that Pursuant to Federal Rules of Civil Procedure Rule 8(d), has admitted to all averments in this Complaint. There has never been offered in this Action any defense to each claim asserted,which is repugnant to Federal

Rules of Civil Procedure Rule 8(b).

3. It is very true that this Respondent did file a Motion to dismiss. Whereupon same was granted by Hodges, without any evidence or hearing whatsoever.

4. On August 7, 1985, Judge Wm Terrell Hodges re-assigned this Case and all other of this Petitioners Cases to Wm. Terrell Hodges, because of his tremendeous personal interest in the outcome. Hodges slammed the door to the Temple of Justice to Petitioner, FOREVER !

5. As far as Hodges is concerned Article 1 Section 25;

" The courts shall be open to every person, for redress of any injury, and justice shall be administered without sale, denial or delay"

is intended only for Members of the Bar in Good Standing with Wm Terrell Hodges.

SEE: Florida Statute 877.01(4)

" Nothing herein shall apply to the division of legal fees by and bewteen attorneys at law"

Wm Terrell Hodges is an attorney at law.

Wherefore, on May 11, 1988 just as MacNamara alleges the District Court entered final judgment against Petitioner. in the amount of $1,397.49 in " American Style Terrorism" (R1-46-1)

6. Yes, it is also true that on February 9, 1989, Harold B Wahl's Brother in the Jacksonville Bar did affirm, sanction and condone Hodges Terrorism American Style with the doors to the Temple of Justice still not open to this Petitioner.

7. The infliction and injection of the Tax Injunction Act is pure and unadulterated " Bull Sugar" injected by one Harvey E Schlesinger --- he, Schlesinger did plan --scheme-- and conduct one Kangaroo Court with the Aid of one Thomas D MacNamara.

9. The U.S. Mrashall with his hand gun attended , MacNamara Jumped up out of his seat as a Gesture, in this Kangaroo

Court Chambers of Harvey E Schlesinger, in Schlesinger's presence and MacNamara Stated to wit:Quote "Barrow ------

" I am tired of your grabage"

" I am tired of your grabage"

" I am tired of your grabage"

" I have one strike comming and I am a Good Mind to jump over this table and take my one strike"

The pre-planning of this scheme to cause this Petitioner to accept MacNamara's challenge to fight in this Kangaroo Court was ever so obviously planned by MacNamara and Schlesinger. after the Hearing this "threat of bodily harm" was called to Schlesinger's attention. Schlesinger only grunted ! Schlesinger was one of the planners, to collect fees for contempt. Petitioner has no F.S.877.01 (4) attorney, wherefore the court goes for Contempt and Sanctions.

SPECIAL AND IMPORTANT REASON FOR GRANTING WRIT

The Very Heart of this Action is the impairing of obligation of contract by the State of Florida.

Jim Bishop illegally impairs the obligation of contract for the State.

This is a 14th Amendment Federal Question which has been ignored by the Court of first instance and the Court of Appeals. If to ignore all facts, all questions and all issues, to ignore all questions that have arisen, to slam the doors to the Temple of Justice is not a departure from the accepted and unusual course of judicial proceedings, the Petitioner has no Case. If the 11th Circuit has not so far sanctioned such a departure by the Hodges Court from the accepted and usual course of judicial proceedings, then Petitioner has no Case. That is just the point . All questions have been ignored resulting in no justice.

SYMBOLIC SPEECH

9. The Respondent MacNamara, raves on and on, about the Symbolic Speech such as -- QUOTE " Corney epithets, name calling, contumiacious conduct and frivolous pleadings".

What does the blunt instrument, unintelligible complaint, inappropriate motion with vexatious filings amount to? Now I ask you, is the Kettle calling the pot black ?

10. The Magistrates fraudulent findings.

The Magistrates false allegations.

The Wheel within a wheel .

The corruption in the District Court.

The filthy conspiracy.

The classic R.I.C.O.

Gangland schemes

The mail order Judgment and the sanctions based solely on the meanness and madness of one Harvey E Schlesinger and his co-

conspirators should be made known to the whole wide world. This void decision of the Court is pure and unadulterated Terrorism American Style ! Coercion and mental torture to this Petitioner and his family .

The affirming of this void decision can be no less than corruption in the Court of Appeals. There has been no jury to rule that contempt was committed or appropriately charged. There has been no court to find sanctions to be appropriate. All sanctions are based solely on Schlesinger's and Hodges own Say-so. ! The Supreme Court Rules, -- Rule 17 clearly states;

> " A review of Certiorari is not a matter of right"

We all know that this Petitioner has no right, constitutional, civil or otherwise. We all know that the Federal Court is not

open to all persons. Article 1 Section 25. We all know that the unpublished opinion of the 11th Circuit affirmed sanctions and condones the corruption and denial of justice in the Court of First Instance. BUT - BUT, does anyone know , can anyone show any evidence accepted by the lower court ? Can this Honorable tribunal have any evidence or any reason to deny one Humble request for a Writ of Certiorari in an action when such request is an action built on all four legs of (the cow), the Rules of the Supreme Court Rule 17 .

Ever so Respectfully Submitted this 8th day of July 1989.

By John G Barrow Jr
A Layman without legal education
Rt 1 Box 470
Callahan, Florida 32011
(904) 845-2475

Standing on all four legs of R-17

a Review on Writ of Certiorari, this Petitioner understands "is not a matter of right. but of judicial discretion!" This is ever so clearly understood. However, when this Petitioner has tried over and over and over, to explain to this Supreme Court that the record will prove that this Plaintiff- Appellant- Petitioner has not seen anything that resembles "a day in court", "an open forum" or "the Jury" that was demanded over and over and over, then there can be but one conclusion, that is, that the Supreme Court does not believe in Article One, Section 25 of the United States Constitution. That The United States Supreme Court will not uphold the Constitution of these United States and that this Person will not witness an open forum for the redress of any injury and that justice is not administered

without sale, denial or delay.

To indicate the Character of the reasons begging for an exercise of this Supreme Courts Power of Supervision is the facts as follows

1. There has not been one Respondant in this Action that has filed an appearance in this appeal to this Supreme Court. In any event there has been no copy sent to this Petitioner.

In the above styled action there has been submitted by no Defendant No denial of any issue in the District Court, 11th Circuit or in the Supreme Court ! Not One !

In this above styled Action which has had absolutely no adjudication of any issue in either the Court of First Instance or the Court of Appeals,there has been no Due Pro - cess of law. U.S.C.A. Const. Amend 5 which constitutes a Void Decision and truly a departure from the accepted and usual

course of judicial proceedings.

It is well known to all the World that the 11th Circuit has sanctioned this departure by the lower Court.

The lower court has awarded well over $140 thousand dollars to Harold B Wahl and his co-horts by the District court.

In Jones v Bales 58 F.R.D. 453 463 (N.D. Ga 1972) affid 480 F 2d 805 (5th Cir 1973)

The 5th Circuit Holds:

" Pro se litigants are not subject to the usual incentives against filing repetitive, frivolous or malicious lawsuits. They " are immune from imposition of costs if they are unsuccessful; and because of their poverty, they are practically immune from later tort actions for malicious prosecution or abuse of process"

This excess of $140 Thousand $140,000.00 of terrorism American Style is truly a departure from Jones v Bales above, and has been affirmed and sanctioned by the 11th Circuit See: S.Ct. Rule 17 (a).

Now comes the United States Supreme Court which holds in:

Morrissey v Brewer 92 S Ct @ 2605

" Moreover, in each case the decision-maker must be impartial there must be some record of the proceedings and the decisionmaker's conclusions MUST BE SET FORTH IN WRITTEN FORM, indicating both the evidence and the reasons relied upon because the Due Process Clause requires these proceedings"

How can I explain to my grandchildren and my neighbors the evidence and the reasons relied upon for its denial by this Supreme Court which is in conflict with Morrissey v Brewer above ?

Is the Constitution really dead ?

Is there any way for this Petitioner to experience an Article One Section 25, Open Court before an unbiased judge and jury so as to provide for adjudication of the issues that have arisen ?

This is a Federal Question that a Federal Court of Appeals has decided to ignore and should be settled by the United States Supreme Court.

Still more departure from the accepted and usual course of judicial proceedings follows:

1. Federal Rules of Civil Procedure Rule 7(a) Mandates:
" There shall be a Complaint AND AN ANSWER To this date there has been no answer from any defendant. Whereupon the Clerk of the Court at the end of 20 days should have entered default of the various defendants.

2. FEDERAL RULES OF CIVIL PROCEDURE RULE 8

b) Defenses; Form of denial;

" A party shall state in short and plain terms his defenses to each claim asserted. and shall ADMIT or DENY the averments upon which the adverse party relies"

d) Effect of failure to deny;

" Averments in a pleading to which a responsive pleading is required other than those as to the amount of damage are admitted WHEN NOT DENIED in the responsive pleading"

There has been no responsive pleading.

These departures from the accepted and usual course of judicial proceedings have also been sanctioned by the 11th Circuit Court of Appeals , this too, does call for an exercise of this Court's Power of Supervision.

In The Court of First Instance, Hodges Consolidation of all cases filed by this Plaintiff, this was repugnant to Edwards v Du Pont De Memours 183 F 2d 165 , The Fifth Circuit Holds:

" It cannot deprive the plaintiff of his right to prosecute his suit to final determination in his own way"

Wherefore, Hodges consolidation of these cases was in conflict with Edwards v Du Pont et al. and the accepted and usual course of judicial proceedings.

Then the Defendants of all of these various cases simultaineously filed for Summary judgment in conflict with Whitaker v Coleman (C.C.A. 5th) 115 F 2d 305 illegally using said summary judgment as responsive pleadings and the lower court did by the use of the summary judgment as a catch penny contrivance operating to deprive this plaintiff a live trial , when in fact there was dozens upon top of dozens of genuine issues of material facts to be tried. The above, more departure from the accepted and usual course of judicial proceedings.

AFFIDAVIT OF GOOD FAITH

Now Comes JOHN G BARROW JR the Petitioner in this Action who demands to impress upon this Honorable Supreme Court of the United States of the pertinacious and obstinate facts that his honest intentions in this Cause of Action is only for the purpose of obtaining a Fair and Speedy administration of Justice.

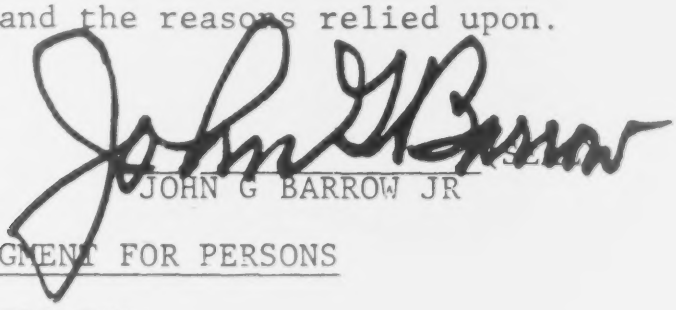
Especially and Specifically a hearing of the Issues presented in the Complaints, pleaded to the Court. This can be made possible only by;

1. A meaningful Notice of Hearing.
2. A meaningful hearing, had.
3. Before an impartial Judge.
4. In an Open Forum.
5. Always demanded a Jury of his Peers.

Very sincerely, this statement is sworn to, Under Oath. Any delay is detremental.

This Petitioner further Certifies that no other Grounds can be any more effectual or controlling than that of Due Process of law, guaranteed by our Constitution. That the substantial circumstances have got to begin with Federal Rules of Civil Procedure Rule 7(a). A meaningful response from the Complaint as amended. The evidence allowed to be presented and same weighed.

Resulting in a Decisionmaker's conclusion in Written Form indicating both the evidence and the reasons relied upon.



JOHN G BARROW JR

ACKNOWLEDGMENT FOR PERSONS

STATE OF FLORIDA
COUNTY OF NASSAU

Before me personally appeared JOHN G BARROW JR, to me well known and known to me to be the person described in and who executed the foregoing instrument and acknowledged to and before me that

he executed said instrument for the purposes therein expressed.

WITNESS My hand and Official Seal this

8th day of July A.D. 1989

Alma M. Barrow

Alma M Barrow
Notary Public
State of Florida

My Commission expires

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: NOV. 20, 1992
BONDED THRU NOTARY PUBLIC UNDERWRITERS

PERSONS OF GREATEST INTEREST

The Persons of Greatest Personal Interest

in the outcome of this action are:

1. All Judges of the 11th Circuit
Court of Appeals.

2. Judge Wm Terrell Hodges
United States District Court
Tampa, Florida.

3. Harvey E Schlesinger
United States District Court
Jacksonville, Florida 32201

4. Harold B Wahl
920 Barnett Bank Building
Jacksonville, Florida 32201

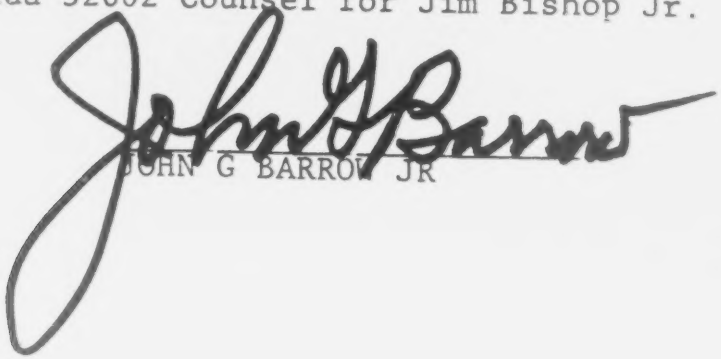
5. Judge James Harrison
Judge Henry Martin
Judge Kenneth E Cooksey
Judge Goldberg
Judge Lawrence Page Haddock
Judge Vernon Douglas
Judge Lynn C Higby
Judge William Stafford
Harold B Wahl
Judge Ben Willis
Gregory A Persnell

SEE: Judgment ordered by Judge Hodges
and the 11th Circuit.

Well over ONE HUNDRED THIRTY TWO THOUSAND
THREE HUNDRED EIGHTY THREE DOLLARS, in
cruel and unusual Punishment.

TERRORISM AMERICAN STYLE !

I HEREBY CERTIFY, this 7th day of July 1989, that I did furnish a true copy of the foregoing instrument, to Thomas D. MacNamara, P.O. Drawer CC, Gainesville, Florida 32602 Counsel for Jim Bishop Jr.



JOHN G BARROW JR

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